

INFORMATION SHEET

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Saint Paul District

FILE NUMBER: MVP-2006-3663

PROJECT MANAGER: Grabowski

PROJECT REVIEW/DETERMINATION COMPLETED: In the office? Y ☒ N ☐ Date: January 9, 2006
At the project site? Y ☐ N ☐ Date:

PROJECT LOCATION INFORMATION:

State: Minnesota

County: Otter Tail

Center coordinates of site by latitude & longitude: 46.4908N / 95.7560W

Approximate size of site/property (including uplands) in acres: 240

Name of waterway or watershed: Otter Tail River

Type of Aquatic Resource ¹ :	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear Ft	Unknown
Lake									
River									
Stream									
Mudflat									
Sandflat									
Wetlands		X							
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (identify type)									

¹Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able to Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?			X		
Is or would be used as habitat by other migratory birds that cross state lines?			X		
Is or would be used as habitat for endangered species?					X
Is used to irrigate crops sold in interstate commerce?				X	

¹Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION: Preliminary ☐ Or Approved: ☒

FILE NUMBER: MVP- 2006-3663

ADDITIONAL INFORMATION SUPPORTING njd (e.g., paragraph 1 site conditions; paragraphs 2-3 rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 site information on waters of the U.S. occurring onsite): **The wetland is located in rolling terrain. A review of the NWI maps and Topographic maps indicate that the wetlands are surrounded by upland. No ditches are indicated in the mapping. A field review by Corps personnel confirmed that the wetland is a depressional basin surrounded by upland and there are no ditches draining the area. The wetlands are located on private property and are unlikely to support interstate commerce.**